IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRADFORD JOHNSON,

v.

Plaintiff

FILED HARRISBURG

JAN 2 2 2001

No. 1:CV-00-0675

(Judge Rambo)

Y/E. D'ANDREA, CLERK

SGT. JOSE RODRIGUEZ, OFFICER ELLING, OFFICER JACKSON AND SGT. STEWART.

(Magistrate Judge Blewitt)

Defendants

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants Rodriguez, Elling, Jackson and Stewart, through their counsel and pursuant to Fed.R.Civ.P. 56, hereby request this Court to grant judgment in their favor and against plaintiff as there are no genuine issues of material fact in dispute and that based on the undisputed facts they are entitled to judgment in their favor as a matter of law.

Respectfully submitted,

D. MICHAEL FISHER Attorney General

BY:

R. DOUGLAS SHERMAN Senior Deputy Attorney General

SUSAN J. FORNEY Chief Deputy Attorney General

Office of Attorney General 15th Fl., Strawberry Square Harrisburg, PA 17120 (717) 787-1179

DATED: January 22, 2001

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRADFORD JOHNSON,

Plaintiff

:

V.

No. 1:CV-00-0675

:

SGT. JOSE RODRIGUEZ, OFFICER

: (Judge Rambo)

ELLING, OFFICER JACKSON AND

SGT. STEWART,

: (Magistrate Judge Blewitt)

Defendants

CERTIFICATE OF SERVICE

I, R. DOUGLAS SHERMAN, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on January 22, 2001, I caused to be served a true and correct coy of the foregoing document entitled "Defendants' Motion for Summary Judgment," by depositing same in the United States Mail, first-class postage prepaid to the following:

Bradford Johnson Liberty Management 1007 W. Lehigh Street Philadelphia, PA 19133

R. DOUCLAS SHERMAN

Senior Deputy Attorney General

DATE: January 22, 2001